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April 21, 2006

The Honorable Kent A. Jordan  
United States District Court  
844 King Street  
Wilmington, DE 19801

*VIA ELECTRONIC FILING  
and HAND DELIVERY*

Re: *Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, et al.*,  
C.A. No. 05-108-KAJ

Dear Judge Jordan:

On behalf of all parties to the above action, I am pleased to submit the following documents for the Court's review: (1) sealed Settlement Agreement, which has been executed by all parties; and (2) Consent Judgment (with attached Permanent Injunction), which has been executed by counsel for all parties. If the foregoing documents meet with the Court's approval, the parties would appreciate it if Your Honor would sign and enter the Settlement Agreement (under seal), the Consent Judgment and the Permanent Injunction.

Respectfully,

*/s/ John G. Day*

John G. Day

JGD/nml  
Attachment  
168613.1

c: Sharon Oras Morgan, Esquire (via electronic mail)  
Michael F. Petock, Esquire (via electronic mail)  
Michael C. Petock, Esquire (via electronic mail)  
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